

## UNITED STATES DEPARTMENT OF COMMERCE **United States Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
<del>'09/421,506</del>	10/19/99	ALBANI	5	246/285

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WESLEY B. AMES BROBECK PHLEGER & HARRISON LLP 12390 EL CAMINO REAL SAN DIEGO CA 92130

**EXAMINER** EWOLDT, G

PAPER NUMBER ART UNIT 1644

DATE MAILED:

10/22/01

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks** 



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SERIAL NUMBER FILING DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NO.

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## Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

The communication filed on 6/29/01 is not fully responsive to the communication mailed 1/05/01 for the following reason:

Applicant has failed to comply with 37 CFR 1.143 regarding the election of a single invention for examination. Applicant's cancellation of 160 previous claims, and submission of 160 new claims, does not relieve Applicant of the requirement of electing a single Group (I-XIII), as set forth previously. Applicant's statement that all pending claims "are drawn to a common invention," is insufficient as said statement does not indicate which Group Applicant is electing.

If a complete response has not been submitted by the time the shortened statutory period for response set in the communication mailed has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 C.F.R. 1.136. In no case may an applicant extend the period for response beyond the six month statutory period.

Any inquiry concerning this communication should be directed to the Examiner, Dr. Gerald R. Ewoldt, Art Unit 1644, whose telephone number is 703-308-9805.

G.R. Ewoldt, Ph.D. Patent Examiner Tech Center 1600 October 15, 2001

Patrick J. Nolan, Ph.D.

Primary Examiner Tech Center 1600